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In re Application of :
William R. Shaffer :
Application No. 09/828,660 :
Filed: April 6, 2001 :
Attorney Docket No. 5249-51DI2 (150907) :

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed March 12, 2004, to revive the above-identified application.

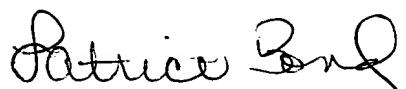
The petition is Granted.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner in reply to the final Office action mailed July 30, 2003, which set a shortened statutory period for reply of three months. A One (1) month extension of time under the provisions of 37 CFR 1.136 have been obtained. Accordingly, the application became abandoned on November 21, 2003.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$420 extension of time submitted with the petition on March 12, 2004 was subsequent to the maximum extendable period for reply, this fee will be credited to petitioner's deposit account, as authorized.

The application file is being forwarded to Technology Center AU 2183 for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.



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